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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,477	06/30/2003	Naoki Hagai	116403	7829
25944 OLIFE & RED	25944 7590 06/15/2007 OLIFF & BERRIDGE, PLC		EXAMINER	
P.O. BOX 19928 ALEXANDRIA, VA 22320		DHINGRA, PA WANDEEP		
			ART UNIT	PÅPER NUMBER
			2625	
				,
			MAIL DATE	DELIVERY MODE
		•	06/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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		Application No.	Applicant(s)			
		10/608,477	HAGAI ET AL.			
	Office Action Summary	Examiner	Art Unit			
		Pawandeep S. Dhingra	2625			
Period fo	The MAILING DATE of this communication app or Reply	pears on the cover sheet with the c	orrespondence address			
A SHO WHIC - Exter after - If NO - Failu Any I	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DATE of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. Period for reply is specified above, the maximum statutory period ver to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	I. lety filed the mailing date of this communication. O (35 U.S.C. § 133).			
Status	· · · · · · · · · · · · · · · · · · ·					
1)⊠	Responsive to communication(s) filed on <u>30 Ju</u>	<u>une 2003</u> .				
2a) <u></u> □	This action is FINAL . 2b)⊠ This action is non-final.					
3)[• • • • • • • • • • • • • • • • • • • •					
	closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.			
Dispositi	on of Claims	•				
5) 6) 7)	Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed. Claim(s) is/are rejected. Claim(s) is/are objected to. Claim(s) 1-24 are subject to restriction and/or expressions.	wn from consideration.				
Applicati	on Papers					
10)	The specification is objected to by the Examine The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Ex	epted or b) objected to by the to drawing(s) be held in abeyance. See tion is required if the drawing(s) is obj	e 37 CFR 1.85(a). lected to. See 37 CFR 1.121(d).			
Priority ι	ınder 35 U.S.C. § 119					
12) [a) [Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureau See the attached detailed Office action for a list	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage			
Attachmen	tie)		·			
1) Notice 2) Notice 3) Infor	te of References Cited (PTO-892) te of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO/SB/08) tr No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	nte			

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

This application contains claims directed to the following patentably distinct species of the claimed invention:

- 1. Species of the embodiment disclosed on page 9, line 22 page 11, line 5; in particular, drawn to a device that prestores the three relative density values being defined dependently on a predetermined maximum density, and a method (page 13, line 13 – page 14, line 16), a program product (page 16, line 18 – page 17, line 22) & computer readable medium for implementing the method (page 17, line 23 page 19, line 3).
- II. Species of the embodiment disclosed on page 11, line 6 page 13, line 12; in particular, another aspect of invention is disclosed, drawn to a device that prestores the three relative density values being defined by normalizing the at least three multilevel output values based on a predetermined maximum density, and a method (page 14, line 17 – page 16, line 17), a program product (page 19, line 4 – page 21, line 6) & computer readable medium for implementing the method (page 21, line 7 – page 23, line 9).

2. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

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Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

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requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pawandeep S. Dhingra whose telephone number is 571-270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 4, 2007

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